

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JENNIFER LYNN FREISMUTH,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Case No. 12-CV-114-JPS

ORDER

He who knows not and knows not he knows not: he is a fool—shun him.

He who knows not and knows he knows not: he is simple—teach him.

He who knows and knows not he knows: he is asleep—wake him.

He who knows and knows he knows: he is wise—follow him.

German Proverb

* * * * *

Once again, the Court is charged with the unenviable task of deciding yet another in an exceptionally long line of Social Security cases run amok. This line of cases—the result of what might be charitably described as a wholly dysfunctional administrative process within the Social Security Administration—has continued to grow, bringing with it a skyrocketing number of remands. Moreover, the shortcomings associated with the administrative process are all too often exacerbated by the United States Attorney’s submissions to the Court, which give every appearance of simply parroting the client agency’s words without any serious independent legal

analysis or thoughtful review. To be sure, this is hardly an effective strategy to defend the indefensible.

In the end, perhaps the Court's concerns are best captured in the relevant historical data associated with Social Security cases filed in the Eastern District of Wisconsin, dating back to 2009.¹ This data reflects the following facts:

- in 2009, 78 Social Security cases were filed, of which 57, or 73%, were remanded;
- in 2010, 99 Social Security cases were filed, of which 70, or 71%, were remanded;
- in 2011, 121 Social Security cases were filed, 115 of which have been concluded to date—and 97, or 84%, have been remanded; and
- in 2012, 135 Social Security cases were filed, 40 of which have been concluded to date—and 33, or 83%, have been remanded.

As those figures show, both the number of filings and the rate of remand continue to rise.²

Accompanying that rise has been a deluge of taxpayer dollars paid out in the form of attorneys' fees to counsel for prevailing plaintiffs pursuant to the Equal Access to Justice Act (EAJA). These fees totaled \$371,483 for 2009

¹This data has been drawn from the appendix incorporated as part of this decision.

²Here, the Court should note that, to its credit, the government has acquiesced in the remand of approximately one third of those cases remanded. Indeed, that fact has helped to reduce the caseload and a portion of the costs associated with these remands. Nonetheless, it also raises an additional question: why do so many of these cases actually require that the claimant institute litigation before the government faces the hard reality that the case must be remanded?

cases; \$392,797 for 2010 cases; \$456,501.78 for the concluded 2011 cases; and \$66,027 for the concluded 2012 cases. In the aggregate, to date these EAJA fees amount to 1.3 million dollars.

But that amount does not even begin to cover all of the expenses associated with dealing with these Social Security appeals. As if the attorneys' fees were not enough, the government—again through taxpayer dollars—must also cover the salaries and associated administrative expenses of the court, the court's staff, and the government's lawyers, all of whom have roles in the appeal process. The pre-appeal administrative process entails its own costs, including the salaries and expenses of the many administrative law judges and other staff tasked with various roles in making the initial determination of eligibility for Social Security benefits.

It does not end there, for beyond the matter of the staggering economic costs, there is also the matter of the personal and emotional cost endured by applicants. Those individuals must suffer the seemingly unending frustration of having their cases, not unlike the one before the court today, drag on for years with no ultimate resolution in sight. Indeed, the Court and the government must also be aware that, in the final analysis, a remand based upon a flawed administrative process, standing alone, provides no assurance that the applicant will ultimately secure a favorable eligibility determination.

Now on to the case at hand. The plaintiff in this matter, Jennifer Freismuth, filed her Social Security appeal on February 3, 2012. (Docket #1). In it, she challenges Administrative Law Judge Mary Everstine's finding that she was not disabled during the relevant time period in question. (Docket #1). The parties have fully briefed the matter, and it is now ripe for decision.

(Docket #7, #12, #13). As the reader may have intuited from the foregoing discussion, the Court finds that ALJ Everstine erred in reaching her decision, and the Court must, accordingly, vacate and remand this matter.

1. BACKGROUND

Due to the significant volume of medical evidence in this case, as well as the complicated procedural history, the Court will address the background in two separate sections. In order to provide context for the basis of the plaintiff's disability claims, the Court will first address the procedural history followed by a discussion of the relevant evidence.

1.1 Procedural History

Ms. Freismuth filed her application for SSD benefits on November 22, 2004, alleging that she had been disabled since October 19, 2001.³ (Tr. 93–95). Her claims were denied both initially and upon reconsideration. (Tr. 75–78, 82–85).

Ms. Freismuth requested an ALJ hearing on April 4, 2006, and eventually appeared before ALJ John Moreen on September 5, 2008. (Tr. 74, 561–84). ALJ Moreen determined that Ms. Freismuth could perform a significant number of light jobs and, therefore, determined that she was not disabled. (Tr. 38–55).

The Appeals Council reviewed ALJ Moreen's determination, at Ms. Freismuth's request, and on December 16, 2009, remanded the matter for a new ALJ hearing and decision. (Tr. 30–32).

³It should also be noted that Ms. Freismuth applied for Disability Insurance Benefits and Supplemental Security Income in November of 1992. (Tr. 41). After those claims were denied, she obtained a job and worked until 2001, at which time she now alleges her current alleged disability began to affect her. (Tr. 41, 88).

Pursuant to that remand, ALJ Everstine conducted a second ALJ hearing on August 23, 2010. (Tr. 585–608). Ms. Freismuth testified at that hearing, as did vocational expert Sharon Spaventa. (Tr. 585–608).

After taking that testimony and examining the evidence of record, ALJ Everstine determined that, as of Ms. Freismuth’s date last insured (March 31, 2007), Ms. Freismuth could still perform a significant number of light jobs and therefore was not disabled. (Tr. 10–22). The ALJ’s decision is discussed further in Part 1.3 of this Order.

Ms. Freismuth requested review of ALJ Everstine’s decision, but on December 6, 2011, the Appeals Council declined to review the matter. (Tr. 4–6). The decision of ALJ Everstine⁴ thus became final, and Ms. Freismuth appealed the matter to this Court.

1.2 Evidence and Testimony Before the ALJ

1.2.1 Medical Evidence

Ms. Freismuth’s alleged disability in this matter occurred over a long period of time, extending past her March 31, 2007, date last insured. Thus, the Court will separate the medical evidence occurring before March 31, 2007, and that occurring afterwards, as one of the issues in this case revolves around the date last insured. Furthermore, in each time period, Ms. Freismuth received both physiological and psychological treatment.

1.2.1.1 Pre-March 31, 2007 Medical Evidence

Ms. Freismuth’s medical problems at issue in this case began in October of 2000. (Tr. 295). At that time, she began to complain of neck pain,

⁴To prevent confusion, the Court notes that from this point forward, it will refer to ALJ Everstine as “the ALJ,” without identifying her by name.

hearing loss, and dizziness; a subsequent medical test indicated dysfunction involving her saccade eye movement control system. (Tr. 295).

On October 16, 2000, Ms. Freismuth began to see Dr. M.A. Strigenz, who conducted an MRI showing abnormalities and trauma in Ms. Freismuth's brain. (Tr. 194–95, 281). Dr. Strigenz prescribed Valium and Claritin to Ms. Freismuth, but Ms. Freismuth's hearing loss and balance problems continued. (Tr. 280–81).

Thus, on December 21, 2000, Dr. Strigenz performed surgery on Ms. Freismuth's right ear; then, on July 19, 2001, Dr. Phillip Wackym performed an additional ear surgery. (Tr. 169–60, 191–92). While these surgeries provided Ms. Freismuth some temporary relief, her hearing did not improve entirely. (Tr. 161, 276–77). Dr. Wackym determined that further surgery would not be useful, and thus recommended that Ms. Freismuth use a hearing aid. (Tr. 161).

Then, several years later, on November 5, 2004, Ms. Freismuth returned to Dr. Strigenz. (Tr. 263). At that time, she complained of continuing imbalance, vertigo, and nausea, for which Dr. Strigenz prescribed Xanax and Allegra. (Tr. 263). Nonetheless, Ms. Freismuth's hearing loss and dizziness problems continued into 2005 and 2007, and were noted by Dr. Strigenz at follow-up appointments in those years. (Tr. 228–33, 235–38).

Also in November of 2004, Ms. Freismuth began to see Dr. Nancy Goranson for psychological treatment. (Tr. 174–79). Dr. Goranson diagnosed major depressive disorder and recommended therapy and use of Lexapro. (Tr. 178–79). Dr. Goranson completed a questionnaire at the Social Security Administration's request on February 1, 2005; at that time, Dr. Goranson noted that Ms. Freismuth's depressive disorder had continued for

approximately four years. (Tr. 171–73). Dr. Goranson’s diagnosis of major depressive disorder was confirmed by a second treating doctor, Dr. Thomas Altepeter, on January 16, 2007.⁵ (Tr. 338–40).

Throughout this period, Ms. Freismuth had several other doctors, as well, treating her brain problems. On December 21, 2004, Dr. Kenneth Viste informed the Social Security Administration that Ms. Freismuth received regular treatment for seizure disorder and depression. (Tr. 306). On July 5, 2005, Dr. Lori Pierquet evaluated Ms. Freismuth at the request of the Social Security Administration, and reported major depression, seizure disorder, hearing problems, vertigo, and several other impairments; from those symptoms, Dr. Pierquet determined that Ms. Freismuth’s ability to work would be limited. (Tr. 196–201). Then, on July 8, 2005, Dr. Xian-feng Gu diagnosed Ms. Freismuth with well-controlled seizures and prescribed multiple medications over several months of treatment.⁶ (Tr. 299–302).

As to Ms. Freismuth’s physical well-being, Dr. Gina Everson took over treatment in October of 2005. (Tr. 253). Ms. Freismuth complained of the following problems: continued hearing loss, regular headaches, neck pain, left hand pain, fatigue, and vertigo (the latter as a result of taking her antibiotic medications). (Tr. 422). At that time, Dr. Everson diagnosed a right trapezius strain, headaches, tenosynovitis, vertigo, seizures, and fatigue. (Tr.

⁵Dr. Altepeter performed further post-March 31, 2007 testing, which confirmed that Ms. Freismuth’s depression was severe and impaired her ability to obtain a job. (Tr. 312–18).

⁶In fact, Ms. Freismuth’s treatment from Dr. Gu continued into 2009, over which time Ms. Freismuth’s symptoms did not substantially improve; Dr. Gu made several changes to Ms. Freismuth’s prescriptions. (Tr. 296–302, 385–86, 507–08).

254). Dr. Everson prescribed naproxen to help with Ms. Freismuth's trapezius strain. (Tr. 254). At Ms. Freismuth's October 26, 2005 follow-up appointment, Dr. Everson noted Ms. Freismuth's progress. There was no improvement in Ms. Freismuth's trapezius strain from taking the Naproxen. (Tr. 252).

1.2.1.2 Post-March 31, 2007 Medical Evidence

Ms. Freismuth returned to Dr. Everson on December 28, 2007, complaining of aches and fatigue. (Tr. 413). Dr. Everson ordered an MRI of Ms. Freismuth and, in January of 2008, determined that Ms. Freismuth was suffering from mild degenerative disease in her back. (Tr. 410–11). In the same month, Dr. Everson diagnosed Ms. Freismuth with diffuse myalgias consistent with fibromyalgia, and stated that depression likely contributed to those symptoms; Dr. Everson prescribed Trazodone and Flexeril to Ms. Freismuth, referred her to physical therapy, and suggested that she seek psychiatric treatment. (Tr. 392, 548).

Ms. Freismuth then began seeing additional doctors for both sleep difficulties and fibromyalgia. In February of 2008, Ms. Freismuth began to see Dr. Elliot Phillips, a sleep specialist. (Tr. 381). Over the course of several meetings, Dr. Phillips diagnosed Ms. Freismuth with several sleep-related disorders and prescribed both Provigil and Adderall. (Tr. 374, 381–82, 400–01, 404, 427, 433–40). Also, in March of 2008, Dr. Elizabeth Bensen began to treat Ms. Freismuth for fibromyalgia-related symptoms. (Tr. 541). Dr. Bensen diagnosed generalized pain with mood symptoms and advised that Ms. Freismuth discontinue her physical therapy. (Tr. 541). Eventually, in July of 2008, Dr. Bensen prescribed Celebrex to treat Ms. Freismuth's pain; two

months later, Ms. Freismuth reported that Celebrex was not effective. (Tr. 535, 537).

In September of 2008, Drs. Phillips, Bensen, and Everson evaluated Ms. Freismuth's ability to work, and determined that Ms. Freismuth would likely have extreme difficulty finding work. (Tr. 435-39, 457, 535). Due to Ms. Freismuth's sleep problems, Dr. Phillips estimated that she would need hourly 15- to 30-minute breaks during an 8-hour day, and that she would typically be absent from work more than three times per month. (Tr. 439). In additional evaluations, Drs. Phillips and Everson found that Ms. Freismuth suffered from multiple impairments that caused interrelated physical and mental problems that would significantly impair her ability to work. (Tr. 441-45, 446-53).

Ms. Freismuth's pain and sleeping problems continued through 2010, and throughout that time Ms. Freismuth continued to visit Dr. Everson. (Tr. 455, 483, 548-50). In 2010, Dr. Everson stated that Ms. Freismuth continued to be impaired as a result of symptoms that had been present since October of 2001. (Tr. 550).

1.2.2 Testimony at the ALJ Hearing

Ms. Freismuth testified before the ALJ and stated that she worked for several years as an administrative assistant, but was permanently laid off from her job in 2001, around the onset of her disability. (Tr. 567-68). After being laid off, Ms. Freismuth found another job, but was laid off after three weeks, because the company found that she could not learn the work requirements quickly enough. (Tr. 567). Thus, Ms. Freismuth filed for disability benefits, alleging that she suffered from: problems with memory, concentration, and following written instructions; fibromyalgia; narcolepsy;

seizures; hearing loss; and vertigo. (Tr. 93–95, 567–69, 571–72, 592). Ms. Freismuth also testified more specifically that she had dizziness with standing or walking (but could walk for ten to fifteen minutes or sit for thirty minutes), that she could lift and carry a twenty-pound object a short distance, that she could sit for thirty minutes but would be restless during that period, and that she had lost her hearing in her right ear. (Tr. 567–69, 571–72, 592). Ms. Freismuth states that she does most of the housework (excepting vacuuming or lifting-related tasks such as laundry) and grocery shopping. (Tr. 573, 578).

The vocational expert, Ms. Saventa, then testified before the ALJ. (Tr. 603–08). The ALJ posed a hypothetical to Ms. Saventa, asking how many jobs would be available to an individual with Ms. Freismuth’s limitations and qualifications. (Tr. 603–04). Specifically, the ALJ noted that the hypothetical person would have Ms. Freismuth’s educational background and work experience. (Tr. 603–04). The ALJ also limited the hypothetical person’s abilities further, to include only simple and repetitive tasks requiring light work, with only occasional stooping, crouching or crawling; without any climbing of ladders, balancing, working from unprotected heights, or operating hazardous machinery; and not requiring excellent hearing. (Tr. 603–04). Taking all of those qualifications and limitations into account, the vocational expert determined that the hypothetical person could likely perform 8,200 jobs in the region as a marker and 5,200 jobs in the region as a hotel room cleaner. (Tr. 604).

Ms. Freismuth’s representative then questioned the vocational expert as to whether such hypothetical person would be able to work those jobs if he or she would be likely to miss work three times each month. (Tr. 604–05).

The representative also asked whether the person would be able to perform those jobs if he or she required unscheduled breaks of thirty to forty minutes. (Tr. 605). As to both questions, the vocational expert conceded that the hypothetical person could not work the marker or cleaner jobs if either of the additional limitations were imposed. (Tr. 604–05).

1.3 ALJ's Decision

Having considered the above-discussed evidence and testimony of the parties, the ALJ made several determinations. First, the ALJ determined that Ms. Freismuth had not performed substantial gainful activity since her onset date, and that her date last insured was March 31, 2007. (Tr. 15). Second, the ALJ identified several severe mental and physical impairments, including hearing loss, vertigo, major depressive disorder, head trauma with controlled seizures, and degenerative disc disease of the spine. (Tr. 15–16). Third, the ALJ considered whether Ms. Freismuth suffered from any marked limitations of criteria in Listing 12.04 (affective disorders); she determined that Ms. Freismuth did not have any impairment or combination thereof that met or equaled the listed impairments. (Tr. 11, 17–18).

Next, and most importantly for this review, the ALJ determined that, as of the March 31, 2007, date last insured, Ms. Freismuth retained the residual functional capacity (RFC) to perform light work with a substantial number of limitations.⁷ (Tr. 15–21). In reaching that finding, the ALJ found

⁷The ALJ found that Ms. Freismuth could perform light work that did not involve: frequent stooping, crouching, or crawling; climbing ladders; working at unprotected heights; or operating hazardous machinery. (Tr. 15–21). The ALJ also determined that Ms. Freismuth's job should not require excellent hearing or optimal balance, and should be confined to simple and repetitive tasks. (Tr. 15–21).

that Ms. Freismuth's testimony was not credible with regards to the intensity, persistence, and limiting effects of her symptoms. (Tr. 19). The ALJ based that credibility determination on the fact that Ms. Freismuth had worked until 2001, despite suffering her initially-disabling injury in 1992. (Tr. 19). Relatedly, the ALJ noted that Ms. Freismuth had stated that her symptoms improved in early 2001 before losing her job, only to change her tune in late 2001 following her layoff. (Tr. 19). The ALJ pointed out that, in reality, Ms. Freismuth's symptoms did not contribute to her loss of work—rather, she was let go as a result of downsizing. (Tr. 19). From that evidence, the ALJ gleaned that Ms. Freismuth retained her capacity to work following her 2001 layoff, and that her testimony otherwise was not credible. (Tr. 19). The ALJ buttressed that determination by pointing to reports of Ms. Freismuth's health care providers in which they suggested she find work. (Tr. 19–20).

Based on these determinations, the ALJ found that Ms. Freismuth's severe impairments would prevent her from performing her past relevant work. (Tr. 21).

Nonetheless, the ALJ determined that Ms. Freismuth retained the RFC to perform a significant number of other light jobs, and therefore was not disabled. (Tr. 21).

2. DISCUSSION

Ms. Freismuth offers the Court several reasons to overturn the ALJ's decision. First, she argues that the ALJ did not accord appropriate weight to the medical evidence in this case. (Pl.'s Br. 17–21). Second, Ms. Freismuth takes issue with the ALJ's determination that Ms. Freismuth's testimony lacked credibility. (Pl.'s Br. 21–24). Finally, she alleges that the testimony of the vocational expert was flawed. (Pl.'s Br. 24–25). If the Court finds that any

one of those alleged errors is present in the ALJ's decision, the Court must reverse that decision.

2.1 Weight of Medical Evidence

Despite having grouped them all into one section of her brief, Ms. Freismuth has made several distinct arguments for reversal based on medical evidence. She first alleges error in the weight accorded to Dr. Everson's medical opinion. (Pl.'s Br. 17–19). Next, she argues that the ALJ erred by failing to accord weight to Dr. Phillips' opinion. (Pl.'s Br. 19–20). And, finally, Ms. Freismuth points out that the ALJ's RFC determination was not based upon a medical opinion, and states that such failure constitutes error. (Pl.'s Br. 20–21).

2.1.1 Dr. Everson's Medical Opinions

“A treating physician's opinion that is consistent with the record is generally entitled to ‘controlling weight.’ ...An ALJ who chooses to reject a treating physician's opinion must provide a sound explanation for the rejection.” *Jelinek v. Astrue*, 662 F.3d 805, 811 (7th Cir. 2011) (citing 20 C.F.R. § 404.1527(d)(2)).

Here, the ALJ stated that she gave little weight to Dr. Everson's medical opinions. (Tr. 20). Specifically, the ALJ noted that Ms. Freismuth only visited Dr. Everson twice before her March 31, 2007, date last insured, and that in those two visits Ms. Freismuth presented very mild impairments. (Tr. 20–21). Furthermore, the ALJ disregarded all of Dr. Everson's opinions occurring after the date last insured, holding that those opinions did not relate to the insured period. (Tr. 20–21).

The ALJ erred in rejecting Dr. Everson's post-date last insured opinions. The Appeals Council remanded the first ALJ decision with specific

instructions to consider a Multiple Impairment Questionnaire that was submitted by Dr. Everson on October 2, 2008. (Tr. 31). The Appeals Council also demanded that the ALJ obtain additional medical evidence, including statements from medical sources, regarding Ms. Freismuth's impairments. (Tr. 31-32). Those instructions make clear that the Appeals Council considered evidence established after the date last insured to be relevant to the ALJ's determination. Furthermore, as a simple matter of logic, even if medical evidence (such as the post-date last insured opinions of Dr. Everson) did not exist at the date last insured, that fact standing alone does not mean that such evidence lacks probative value as to a plaintiff's pre-date last insured impairments. *See, e.g., Estok v. Apfel*, 152 F.3d 636, 640 (7th Cir. 1998) (stating that retrospective medical opinions should be considered if corroborated with evidence contemporaneous to the eligible period), *Allord v. Barnhart*, 455 F.3d 818, 822 (7th Cir. 2006). For these reasons, the Court must conclude that the ALJ failed to provide an adequate explanation for rejecting Dr. Everson's post-date last insured opinions. The Court is thus obliged to find that the ALJ erred in that respect.

As to the ALJ's discounting the weight afforded to Dr. Everson's pre-date last insured opinions, the Court finds that such action was appropriate and supported by a sound explanation. In that respect, the ALJ offered substantial reasons for discounting the weight of those opinions, such as the fact that Ms. Freismuth's symptoms were mild and seemed to be improving and also that Dr. Everson saw Ms. Freismuth only twice in the relevant time period. (Tr. 20-21). Dr. Everson's pre-date last insured opinions were based on a mere two visits within the same month, during which time the patient's

health was in flux—hardly a strong baseline from which to determine Ms. Freismuth’s state of health. Thus, the Court must conclude that the ALJ provided a firm rationale for discounting those pre-date last insured opinions. Therefore, such action was not in error.

2.1.2 Dr. Phillips’ Medical Opinions

The ALJ discarded Dr. Phillips’ medical opinions entirely, which was an error. So long as medical opinions from treating physicians are corroborated by evidence from the insured period, they should be given weight, even if they were not rendered before the date last insured. *Estok*, 152 F.3d at 640.

Dr. Phillips’ opinions are consistent with evidence of fatigue existing before the date last insured, and therefore should have been considered by the ALJ. *Id.* Dr. Everson assessed Ms. Freismuth and noted fatigue in October of 2005.⁸ (Tr. 254). Thus, Dr. Phillips’ opinions are consistent with symptoms exhibited by Ms. Freismuth during the insured period. As such, under *Estok* and 20 C.F.R. §§ 404.1527(d)(2)–(6), the ALJ should have considered Dr. Phillips’ opinions; her decision to outright disregard such evidence constitutes an error. 152 F.3d at 640.

2.1.3 ALJ’s RFC Determination

Ms. Freismuth’s last argument regarding the ALJ’s consideration of the medical evidence relates to the ALJ’s RFC determination: Ms. Freismuth

⁸On this point, the Commissioner argues that Ms. Freismuth did not exhibit signs of fatigue during the insured period. (Def.’s Resp. 12). Given the evidence from Dr. Everson’s October assessments of Ms. Freismuth, it is clear that the Commissioner is simply wrong on this point.

alleges that the ALJ did not base that determination on any medical opinion in the record. (Pl.'s Br. 20).

Indeed, an ALJ cannot reject every medical opinion in a given record in reaching an RFC determination. *Suide v. Astrue*, 371 Fed.Appx. 684 (7th Cir. 2010) (establishing that an ALJ may not substitute his or her lay opinion for all other medical sources in record), *Eakin v. Astrue*, 432 Fed.Appx. 607 (7th Cir. 2011).

Here, the ALJ did just that—she reached an RFC determination that is not wholly based on *any* medical opinion in the record. The Commissioner argues that the ALJ's RFC determination is consistent with the opinion of state agency physician Dr. Baumblatt (Def.'s Br. 13), but then goes on to acknowledge that the RFC is only “generally” consistent with Dr. Baumblatt's less restrictive determination that Ms. Freismuth could perform light work. (Tr. 216–23). In the Court's opinion, it seems that the ALJ merely split the difference between Dr. Baumblatt's opinion and the plethora of medical evidence discussed above that documents Ms. Freismuth's multiple impairments. The ALJ addressed only Dr. Everson's medical opinions in detail before reaching the RFC determination; little other medical evidence was discussed. Given the large amount of evidence available and the lack of adequate discussion of a large portion of that evidence, the Court must conclude that the ALJ substituted her opinion for those of the other medical sources in the record. Such substitution constitutes reversible error. *Suide*, 371 Fed.Appx. 684.

2.2 Credibility Determination

In evaluating a claimant's testimony regarding pain and other subjective matters, an ALJ must follow a two-step process: first, the ALJ must determine whether the complained-of symptoms are consistent with objective medical evidence in the record; and, second, the ALJ must evaluate the claimant's credibility regarding the specific contours of that pain (such as intensity, persistence, and effects). Social Security Ruling 96-7p (interpreting 20 C.F.R. § 404.1529).

Here, there is no question that the ALJ completed the first of those steps—the ALJ stated that the objective evidence “could reasonably be expected to cause the alleged symptoms.” (Tr. 18).

At the second step of the evaluation, though, the ALJ erred. To begin, the ALJ used inappropriate language at that step in determining that Ms. Freismuth's statements were not credible to the extent they were inconsistent with the RFC. The exact language that the ALJ used has been roundly criticized by the Seventh Circuit as meaningless boilerplate. *See, e.g., Bjornson v. Astrue*, 671 F.3d 640, 645–647 (7th Cir. 2012).

Furthermore, even disregarding that meaningless language, the ALJ's credibility determination here was deeply flawed. For example, the ALJ found it very relevant that Ms. Freismuth had worked for several years after a 1992 car crash before becoming disabled, and that Ms. Freismuth had been laid off (as opposed to having left due to her condition) from her job. (Tr. 19). Yet, the ALJ neglected to mention that Ms. Freismuth had been in a second car crash in 2000 that could very well have precipitated additional impairments. Furthermore, there is evidence that Ms. Freismuth was having

significant problems at her job prior to being laid off in 2001. (Tr. 575). And, while Ms. Freismuth's ability to perform household chores may be somewhat inconsistent with her reported impairments, there is a vast difference between performing limited amounts of non-exertional household chores and being able to work for eight hours per day, several days per week. *Hughes v. Astrue*, No. 12-1873, --- F.3d ----, 2013 WL 163477, at *3 (7th Cir. Jan. 16, 2013) (citing *Bjornson*, 671 F.3d at 647; *Craft v. Astrue*, 539 F.3d 668, 680 (7th Cir.2008); *Gentle v. Barnhart*, 430 F.3d 865, 867–68 (7th Cir.2005); *Rogers v. Commissioner of Social Security*, 486 F.3d 234, 248–49 (6th Cir.2007); *Draper v. Barnhart*, 425 F.3d 1127, 1131 (8th Cir.2005)). In sum, the ALJ seems to have disregarded some important evidence that weighs against her RFC determination and to have overvalued the evidence that she did rely on.

Given those errors, as well as the ALJ's use of disfavored language, the Court must conclude that the ALJ erred in making her credibility determination.

2.4 Vocational Expert Testimony

Ms. Freismuth's final argument centers around the hypothetical questions posed by the ALJ to the vocational expert to determine Ms. Freismuth's ability to work. (Pl.'s Br. 24–25). On this point, Ms. Freismuth argues that the ALJ presented the vocational expert with a hypothetical that did not take all of the medical evidence into consideration. (Pl.'s Br. 24–25). The Court agrees.

An ALJ's hypotheticals to a vocational expert must take into account all of a claimant's limitations. *Stewart v. Astrue*, 561 F.3d 679, 684 (7th Cir. 2009).

Here, the ALJ's hypothetical failed to include limitations for frequent breaks, frequent absences, and mental limitations. (Tr. 603–08). There are numerous medical opinions in the record in this matter, practically all of which acknowledge that Ms. Freismuth would need frequent breaks. (Tr. 201, 438–39, 444, 451–52). And, while the ALJ failed to include a frequent-break limitation in his hypothetical questions, the VE testified (pursuant to one of Ms. Freismuth's questions) that no jobs would exist for an individual needing to take frequent breaks, as would likely be required in Ms. Freismuth's case. There is also a significant bundle of evidence concerning Ms. Freismuth's mental limitations in concentration, persistence, and pace, as well as in daily living and social functioning; the ALJ included only a limitation that Ms. Freismuth be limited to simple and repetitive tasks. (Tr. 17, 603). From these problems, it is quite clear to the Court that the ALJ simply disregarded much of the record in forming her hypothetical questions.

Thus, given that the ALJ ignored many of Ms. Freismuth's limitations, the Court is obliged to determine that her decision was in error. *Stewart*, 561 F.3d at 684.

3. CONCLUSION

This case is not a close one. Whereas Social Security appeals often exist in a grey area, with much of an ALJ's decision correct with some minor errors, here the ALJ's decision is absolutely riddled with errors. In reality, the Court has little idea as to why the Commissioner chose to defend this case on appeal. Not only were there multiple problems with the ALJ's decision that were readily apparent to the Court, but it also appears that the Commissioner's attorneys elected to spend very little time and effort writing the brief in defense of the ALJ's decision. The Commissioner's brief includes

an error of fact on the dispositive matter of Dr. Phillips' opinion (misidentifying the onset of Ms. Freismuth's fatigue). More telling, other than a passing reference to the standard of review, the government's brief does not include a *single* citation to case law in its legal analysis of the administrative record.

If the Commissioner is not going to put forth an adequate effort to defend an ALJ's decisions, why defend them at all? To the Court it is quite apparent that a thorough early evaluation by the Commissioner would have disclosed that this case should have never proceeded to the point of formal briefing, given the glaring errors in the ALJ's decision. Frankly, with a very full case load, the Court finds it insulting to be continually called upon to review these cases, when the Commissioner's counsel can neither appropriately screen them nor adequately brief them. As earlier noted in this decision, reversals of ALJ determinations in Social Security cases have absolutely skyrocketed. The record in this case amply demonstrates why: the Commissioner continues to engage in the Sisyphean task of defending a significant number of ALJ decisions, without first giving appropriate consideration to the merits of such defenses. The Court fully expects that this untenable situation will be remedied post haste, and in a manner that insures that both the Social Security Administration and the U.S. Attorney's office devote their respective resources to defending ALJ decisions that truly have merit. If not—at the risk of stating the obvious—they will soon find themselves in very deep trouble.

Given the significant errors in the ALJ's decision, as noted above, the Court is obliged to vacate the decision of the ALJ and remand this case for further proceedings consistent with this opinion.

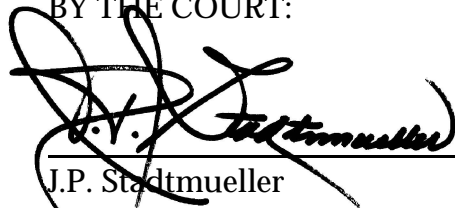
Accordingly,

IT IS ORDERED that the opinion of the ALJ be and the same is hereby VACATED and REMANDED for further proceedings consistent with this opinion.

The clerk of court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 31st day of January, 2013.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge

Appendix

Disposition Profile - Social Security Cases Eastern District of Wisconsin 2009 - 2013

Summary

2009

Total Cases Filed: 78
Closed Cases: 78
Remanded: 57
Affirmed: 16
Dismissed/Other: 5
Total Attys' Fees: \$371,483.19
Total Costs: \$4,209.10

2010

Total Cases Filed: 99
Closed Cases: 99
Remanded: 70
Affirmed: 23
Dismissed/Other: 6
Total Attys' Fees: \$392,797.00*
Total Costs: \$5,943.11

2011

Total Cases Filed: 121
Closed Cases: 115*
Remanded: 97
Affirmed: 11
Dismissed/Other: 7
Total Attys' Fees: \$456,501.78*
Total Costs: \$7,623.27*

2012

Total Cases Filed: 135
Closed Cases: 40*
Remanded: 33
Affirmed: 5
Dismissed/Other: 2
Total Attys' Fees: \$80,177.08*
Total Costs: \$1,777.00*

2013

Total Cases Filed: 17*
Closed Cases: 0*
Remanded: 0
Affirmed: 0
Dismissed/Other: 0
Total Attys' Fees: \$0.00*
Total Costs: \$0.00*

*As of January 31, 2013

2009 Social Security Cases

Date Filed	Case No./Judge	Case Title	Disposition	Disp. Date	Attorneys' Fees/Costs
03/06/06 03/27/09	06-CV-0273-CNC	Nelms v. Astrue	Remanded by the Seventh Circuit	03/31/09	\$31,191.82/IFP
09/01/06 04/06/09	06-CV-0933-JPS	McKay v. Astrue	Vacated/Remanded	12/08/10	\$11,310.30/IFP
04/01/08 02/10/09	08-CV-0284-LA	Sucharski v. Astrue	Reversed/Remanded	09/25/09	\$10,248.25/\$350.00
05/21/08 09/15/09	08-CV-0450-RTR	Ross v. Astrue	Remanded by the Seventh Circuit	09/22/09	\$11,976.80/IFP
01/06/09	09-CV-0024-WCG	Baker v. Astrue	Remanded on Parties' Joint Motion	06/26/09	None
01/08/09	09-CV-0036-LA	Christel v. Astrue	Reversed/Remanded	07/24/09	\$3,000.00/IFP
01/08/09	09-CV-0041-JPS	Smith v. Astrue	Vacated/Remanded	03/02/10	\$7,194.88/\$350.00
01/13/09	09-CV-0055-CNC	Nieves Rivera v. Astrue	Affirmed	12/20/10	N/A
01/14/09	09-CV-0060-LA	Mattison v. Astrue	Reversed/Remanded	08/21/09	Motion Denied/\$350.00
01/14/09	09-CV-0061-RTR	Jones v. Astrue	Affirmed	07/17/09	N/A
01/16/09	09-CV-0072-AEG	Thao v. Astrue	Remanded on Parties' Joint Motion	08/17/09	\$4,200.00/IFP
02/09/09	09-CV-0130-LA	Lopez v. Astrue	Dismissed	11/30/09	IFP/Pro se
02/13/09	09-CV-0147-CNC	McCormick v. Astrue	Remanded on Parties' Joint Motion	09/15/09	\$10,870.25/\$350.00
02/19/09	09-CV-0173-RTR	Segalle v. Astrue	Remanded	02/04/10	\$3,524.41/IFP
02/20/09 01/28/11	09-CV-0178-JPS	Spiva v. Astrue	Remanded by the Seventh Circuit	02/14/11	\$17,408.22/\$677.99
02/25/09	09-CV-0203-LA	Joseph v. Astrue	Remanded on Parties' Joint Motion	07/28/09	\$3,534.00/IFP
02/27/09	09-CV-0212-LA	Thompson v. Astrue	Dismissed	03/30/10	IFP/Pro se
03/10/09	09-CV-0270-AEG	Ratulowski v. Commissioner Social Security Administration	Affirmed	10/19/09	N/A
03/12/09	09-CV-0281-RTR	Corson v. Astrue	Affirmed	02/10/10	N/A
03/23/09	09-CV-0313-WEC	Hudson v. Astrue	Reversed/Remanded	03/25/10	\$11,344.60
04/03/09	09-CV-0358-JPS	Roquemore v. Astrue	Vacated/Remanded	03/10/10	\$5,300.00/IFP
04/09/09 01/26/10	09-CV-0367-WCG	Dobreceovich-Voelkel v. Astrue	Remanded	03/03/11	\$7,386.65/IFP
04/10/09	09-CV-0372-JPS	Powell v. Astrue	Remanded on Parties' Joint Motion	10/08/09	\$5,250.00/IFP
04/15/09	09-CV-0392-LA	Ramos v. Astrue	Reversed/Remanded	11/27/09	\$8,431.50/IFP
05/06/09	09-CV-0464-LA	Lunsford v. Astrue	Reversed/Remanded	04/02/10	\$6,750.00
05/08/09	09-CV-0472-JPS	Washington v. Astrue	Affirmed	08/19/10	N/A
05/12/09	09-CV-0483-LA	Stitch v. Astrue	Affirmed	01/31/10	N/A
05/13/09	09-CV-0485-CNC	Emanuele v. Astrue	Reversed/Remanded	03/17/11	IFP/Pro se
05/22/09	09-CV-0523-WCG	Kemp v. Astrue	Affirmed	09/30/10	N/A
05/27/09	09-CV-0534-WCG	Vander Linden v. Commissioner Social Security Administration	Reversed/Remanded	04/07/10	\$6,000.00/IFP
05/28/09	09-CV-0537-CNC	Reynolds v. Astrue	Remanded	07/21/10	\$5,500.00/\$350.00
06/01/09 11/23/10	09-CV-0547-JPS	Phillips v. Astrue	Vacated/Remanded	08/10/11	\$5,500.00
06/04/09	09-CV-0559-WCG	Leverance v. Astrue	Remanded on Government's Motion	09/20/10	IFP/Pro se
06/04/09	09-CV-0560-CNC	Vander Meulen v. Astrue	Reversed/Remanded	03/13/12	\$6,478.75/IFP
06/11/09	09-CV-0582-RTR	Krucky v. Astrue	Remanded on Parties' Joint Motion	11/23/09	\$5,394.81/IFP

06/16/09	09-CV-0594-PJG	O'Brien v. Astrue	Affirmed	09/03/10	N/A
06/19/09	09-CV-0615-LA	Flores v. Astrue	Remanded on Government's Motion	10/19/09	None
06/24/09	09-CV-0626-RTR	Boldon v. Astrue	Affirmed	01/22/10	N/A
06/26/09	09-CV-0629-JPS	Carr v. Astrue	Affirmed	07/30/10	N/A
07/07/09	09-CV-0665-CNC	Winters v. Astrue	Reversed/Remanded	09/08/10	\$5,685.64/IFP
07/14/09	09-CV-0688-PJG	Banks v. Astrue	Remanded	09/27/10	\$4,500.00/IFP
07/16/09	09-CV-0695-RTR	McDonald v. Astrue	Remanded on Parties' Joint Motion	01/08/10	None
07/22/09	09-CV-0717-LA	Jones v. Astrue	Remanded on Parties' Joint Motion	01/23/10	\$5,197.50/IFP
07/22/09	09-CV-0719-PJG	Le Vaughn v. Astrue	Remanded	09/30/10	\$2,874.00/\$350.00
07/23/09	09-CV-0721-RTR	Larson v. Astrue	Reversed/Remanded	08/16/10	\$4,638.62
07/24/09	09-CV-0727-RTR	Zirzow v. Astrue	Remanded	01/22/10	\$7,713.0/IFP
08/03/09	09-CV-0754-RTR	Mercier v. Astrue	Remanded	02/03/10	\$5,300.00/IFP
08/11/09	09-CV-0773-RTR	Jemison v. Astrue	Reversed/Remanded	08/19/10	\$8,397.00/IFP
08/13/09 03/02/11	09-CV-0784-JPS	Mott v. Astrue	Remanded on Government's Motion	03/09/11	\$12,725.93/\$160.99
08/14/09	09-CV-0791-CNC	Lengling v. Astrue	Dismissed on Government's Motion	12/10/10	IFP/Pro se
08/17/09	09-CV-0798-JPS	Alicea v. Astrue	Remanded on Government's Motion	10/28/09	IFP/Pro se
08/19/09	09-CV-0803-JPS	Troop v. Astrue	Vacated/Remanded	09/24/10	\$5,877.50/IFP
08/21/09	09-CV-0812-JPS	Thompson v. Astrue	Vacated/Remanded	07/16/10	None
09/10/09	09-CV-0868-CNC	Jones v. Astrue	Affirmed	10/31/11	N/A
09/10/09	09-CV-0874-RTR	Walker v. Astrue	Remanded	05/19/10	\$5,100.00/IFP
09/11/09	09-CV-0876-RTR	Lashley v. Astrue	Dismissed on Government's Motion	04/14/10	IFP/Pro se
09/15/09	09-CV-0888-CNC	Kampe v. Astrue	Vacated/Remanded	03/31/12	\$6,056.77/\$350.00
09/16/09	09-CV-0893-WCG	Harder v. Astrue	Remanded on Government's Motion	05/21/10	\$6,350.00
09/17/09	09-CV-0897-WCG	Birling v. Social Security Administration	Stayed pending plaintiff's release from prison	08/16/10	N/A
09/17/09	09-CV-0900-WEC	Woods v. Astrue	Reversed/Remanded	09/29/10	\$4,264.13/IFP
09/21/09	09-CV-0912-LA	Weber v. Astrue	Reversed/Remanded	05/11/10	\$5,700.00/IFP
09/21/09	09-CV-0914-WEC	Rodriguez v. Astrue	Affirmed	09/01/10	N/A
09/23/09	09-CV-0918-PJG	Carr v. Astrue	Affirmed	09/23/10	N/A
09/29/09	09-CV-0938-PJG	Gallagher v. Astrue	Affirmed	09/30/10	N/A
09/30/09	09-CV-0947-CNC	Freeman v. Astrue	Reversed/Remanded	09/16/11	\$17,068.37/\$350.00
10/02/09	09-CV-0953-JPS	Jefferson v. Astrue	Vacated/Remanded	08/03/10	\$7,047.50/IFP
10/13/09	09-CV-0978-CNC	Watts v. Astrue	Remanded on Parties' Joint Motion	05/07/10	\$1,900.00
10/19/09	09-CV-0990-WCG	Kirk v. Astrue	Affirmed	12/02/10	N/A
10/28/09	09-CV-1020-JPS	Caraballo v. Astrue	Vacated/Remanded	03/07/11	Motion for Fees Denied
11/04/09	09-CV-1040-WEC	Wright v. Astrue	Reversed/Remanded	01/12/11	\$6,900.00
11/12/09	09-CV-1067-AEG	Levins v. Astrue	Reversed/Remanded	05/10/10	\$13,158.75/IFP
11/12/09	09-CV-1068-PJG	Holzem v. Astrue	Remanded	03/15/11	\$6,645.75/IFP
11/17/09	09-CV-1084-WCG	Haase v. Astrue	Affirmed	08/27/10	N/A
11/24/09	09-CV-1101-LA	Kadletz v. Astrue	Reversed/Remanded	07/26/10	\$8,571.00/IFP

12/03/09	09-CV-1120-AEG	Schott v. Astrue	Remanded on Parties' Joint Motion	03/18/10	None
12/07/09	09-CV-1128-WCG	Vanderloop v. Astrue	Reversed/Remanded	11/15/10	\$7,000.00
12/21/09	09-CV-1163-WCG	Monroe v. Astrue	Remanded	03/09/11	\$8,564.48/\$435.02
12/31/09 10/13/11	09-CV-1197-WCG	Robinson v. Astrue	Remanded by the Seventh Circuit	11/15/11	\$16,452.00/\$135.10

2010 Social Security Cases

Date Filed	Case No./Judge	Case Title	Disposition	Disp. Date	Attorneys' Fees/Costs
11/05/07 02/24/10	07-CV-0983-CNC	Bell v. Astrue	Affirmed	04/21/11	N/A
06/15/06 04/12/10	06-CV-0697-RTR	Bauer v. Astrue	Remanded by the Seventh Circuit	04/26/10	\$30,746.7/\$412.08
12/03/07 10/14/10	07-CV-1079-JPS	D R v. Astrue	Dismissed on Government's Motion	04/21/11	IFP/Pro se
01/14/10	10-CV-0037-RTR	Clark v. Astrue	Reversed/Remanded	10/27/10	\$5,700.00/IFP
01/21/10	10-CV-0053-LA	Nobel v. Astrue	Dismissed	08/04/10	IFP/Pro se
07/19/10	10-CV-0602-RTR	Burdick v. Astrue	Reversed/Remanded	01/31/11	\$7,250.25/IFP
02/02/10	10-CV-0088-RTR	Bates v. Astrue	Affirmed	07/21/10	N/A
02/03/10	10-CV-0092-WCG	Borland v. Astrue	Reversed/Remanded	12/17/10	\$6,000.00/\$463.91
02/10/10	10-CV-0119-LA	Hadley v. Astrue	Affirmed	08/26/10	N/A
03/03/10	10-CV-0175-WCG	Su Nemun v. Astrue	Remanded	03/24/11	\$8,066.48/IFP
03/12/10	10-CV-0212-WEC	McLaughlin v. Astrue	Reversed/Remanded	02/09/11	\$8,744.29/IFP
03/13/10	10-CV-0213-WEC	Anderson v. Astrue	Remanded on Parties' Joint Motion	09/16/10	\$5,440.00/IFP
03/22/10	10-CV-0240-LA	Wiersma v. Astrue	Reversed/Remanded	12/08/10	\$7,242.00/\$350.00
03/24/10	10-CV-0246-WEC	Kott v. Astrue	Affirmed	03/07/11	N/A
03/24/10	10-CV-0248-RTR	Bufford v. Astrue	Reversed/Remanded	11/17/10	\$7,500.00/IFP
03/30/10	10-CV-0272-JPS	Earl v. Astrue	Vacated/Remanded	03/17/11	\$6,514.32/IFP
04/07/10	10-CV-0290-CNC	Costello v. Astrue	Remanded on Parties' Joint Motion	10/04/10	\$4,781.88/IFP
04/20/10	10-CV-0338-JPS	Blanchard v. Astrue	Vacated/Remanded	03/07/11	\$7,167.66/IFP
04/23/10	10-CV-0353-LA	Nash v. Astrue	Reversed/Remanded	01/20/11	\$8,488.00/IFP
04/27/10	10-CV-0360-RTR	Lowe v. Astrue	Reversed/Remanded	11/19/10	\$6,200.00/IFP
04/28/10	10-CV-0365-LA	McGee v. Astrue	Reversed/Remanded	01/27/11	\$6,406.00/IFP
04/30/10	10-CV-0376-RTR	Frischmann v. Astrue	Remanded on Parties' Joint Motion	10/12/10	\$5,150.00/IFP
05/03/10	10-CV-0380-AEG	Trossen v. Astrue	Reversed/Remanded	12/06/10	\$5,865.00/\$350.00
05/14/10	10-CV-0420-CNC	Drake v. Astrue	Reversed/Remanded	09/15/11	\$7,200.00/IFP
05/19/10	10-CV-0431-LA	Graham v. Astrue	Remanded on Parties' Joint Motion	12/23/10	\$4,259.05/IFP
05/24/10	10-CV-0450-WEC	Tritz v. Astrue	Reversed/Remanded	08/24/11	\$6,629.00/\$350.00
05/25/10	10-CV-0451-LA	Sherrod v. Astrue	Affirmed	01/25/11	N/A
05/26/10	10-CV-0454-WCG	Varga v. Astrue	Reversed/Remanded	02/02/11	\$7,975.71/\$350.00
05/27/10	10-CV-0457-WCG	Matzke v. Astrue	Remanded	09/07/11	None
05/27/10	10-CV-0458-LA	Turner v. Astrue	Remanded on Parties' Joint Motion	01/05/11	\$4,503.66/IFP
05/28/10	10-CV-0461-WEC	McNeil v. Astrue	Remanded on Parties' Joint Motion	11/18/10	\$4,400.00/IFP
06/08/10	10-CV-0478-AEG	Terlecki v. Astrue	Affirmed	12/20/10	N/A
06/08/10	10-CV-0480-PJG	Cherry v. Astrue	Dismissed	11/10/10	IFP/Pro se
06/08/10	10-CV-0481-PJG	Colister v. Astrue	Remanded	03/30/12	\$7,000.00/IFP
06/16/10	10-CV-0506-WEC	Bilello v. Astrue	Dismissed on Government's Motion	07/08/11	IFP/Pro se
06/16/10	10-CV-0507-AEG	Steffen v. Astrue	Reversed/Remanded	04/26/11	\$1,904.76

06/17/10	10-CV-0509-LA	Strating v. Astrue	Remanded on Parties' Joint Motion	12/20/10	\$6,885.25/\$350.00
06/22/10	10-CV-0518-WEC	Maki v. Astrue	Affirmed	09/12/11	N/A
06/25/10	10-CV-0527-PJG	S v. Astrue	Remanded on Parties' Joint Motion	04/06/11	\$4,507.48/\$100.71
07/02/10	10-CV-0547-PJG	Burr v. Astrue	Affirmed	08/15/11	N/A
07/02/10	10-CV-0548-AEG	Dulmes v. Astrue	Reversed/Remanded	05/04/11	None
07/07/10	10-CV-0559-RTR	Ney v. Astrue	Reversed/Remanded	01/28/11	\$7,500.00/IFP
07/08/10	10-CV-0565-WEC	Schmidt v. Astrue	Affirmed	09/20/11	N/A
07/13/10	10-CV-0582-LA	S v. Astrue	Reversed/Remanded	03/18/11	\$7,000.00/IFP
07/14/10	10-CV-0589-AEG	Cook v. Astrue	Remanded on Parties' Joint Motion	12/30/10	\$3,091.48/\$350.00
07/14/10	10-CV-0592-RTR	Knight v. Astrue	Affirmed	06/07/11	N/A
07/15/10	10-CV-0595-JPS	Loubriel v. Astrue	Remanded on Parties' Joint Motion	03/18/11	\$3,917.25/IFP
07/16/10	10-CV-0599-JPS	Tohl v. Astrue	Vacated/Remanded	09/01/11	\$6,918.25/\$366.62
07/19/10	10-CV-0603-JPS	Kirkeeng v. Astrue	Remanded on Parties' Joint Motion	01/11/11	\$18,734.97/\$350.00
07/22/10	10-CV-0619-AEG	Cueller v. Astrue	Reversed/Remanded	05/05/11	\$1,684.98
07/26/10	10-CV-0632-JPS	Nelson v. Astrue	Remanded on Parties' Joint Motion	12/08/10	None
07/26/10	10-CV-0635-RTR	Jones v. Astrue	Remanded on Government's Motion	11/29/11	\$5,000.00/\$383.17
08/03/10	10-CV-0659-WEC	Mandella v. Astrue	Reversed/Remanded	10/17/11	\$3,850.00/IFP
08/06/10	10-CV-0671-LA	Kastner v. Astrue	Remanded on Parties' Joint Motion	01/06/11	\$4,500.00/IFP
08/10/10	10-CV-0679-LA	Schill v. Astrue	Remanded on Parties' Joint Motion	02/22/11	\$5,189.08/IFP
08/10/10	10-CV-0680-RTR	Meeks v. Astrue	Reversed/Remanded	05/11/11	\$7,416.97/IFP
08/11/10	10-CV-0682-LA	Balde v. Astrue	Affirmed	08/04/11	N/A
08/12/10	10-CV-0684-LA	Hanson v. Astrue	Affirmed	04/09/11	N/A
08/18/10	10-CV-0712-CNC	Gray v. Astrue	Affirmed	08/10/12	N/A
08/24/10	10-CV-0719-RTR	Prescott v. Astrue	Affirmed	05/10/11	N/A
08/23/10	10-CV-0722-PJG	Potter v. Astrue	Dismissed	02/16/11	IFP/Pro se
08/26/10	10-CV-0732-WCG	Sweetalla v. Astrue	Remanded on Parties' Joint Motion	01/21/11	\$5,078.09/IFP
08/26/10	10-CV-0733-JPS	Brown v. Astrue	Remanded on Parties' Joint Motion	02/23/11	\$3,100.00/IFP
09/01/10	10-CV-0754-RTR	Scott v. Astrue	Reversed/Remanded	05/13/11	\$8,555.08/IFP
09/10/10	10-CV-0780-JPS	Washington v. Astrue	Remanded on Parties' Joint Motion	02/04/11	\$4,553.78/IFP
09/17/10	10-CV-0806-WCG	Haferbecker v. Astrue	Affirmed	07/05/11	N/A
09/26/10	10-CV-0838-CNC	Cameron v. Astrue	Remanded on Parties' Joint Motion	01/31/12	\$6,845.50/IFP
09/27/10	10-CV-0839-RTR	Nelson v. Astrue	Remanded on Parties' Joint Motion	03/02/11	\$4,787.91/IFP
09/28/10	10-CV-0846-PJG	Toles v. Astrue	Remanded on Parties' Joint Motion	04/01/11	\$5,994.94/\$350.00
09/30/10	10-CV-0856-CNC	Bronnson v. Astrue	Reversed/Remanded	08/24/12	\$7,733.88/\$366.62
10/01/10	10-CV-0858-WCG	Schultz v. Astrue	Reversed/Remanded	10/12/11	None
10/15/10	10-CV-0920-JPS	Exum v. Astrue	Affirmed	11/28/11	N/A
10/19/10	10-CV-0939-JPS	Coppersmith v. Astrue	Vacated/Remanded	12/16/11	None
10/19/10	10-CV-0940-CNC	Mathes v. Astrue	Reversed/Remanded	03/31/12	None
10/26/10	10-CV-0957-WEC	Roberts v. Astrue	Reversed/Remanded	03/30/12	IFP/Pro se
10/27/10	10-CV-0965-WEC	Smith v. Astrue	Reversed/Remanded	12/20/11	\$1,200.00

10/31/10	10-CV-0973-AEG	Lucas v. Astrue	Affirmed	05/09/11	N/A
11/10/10	10-CV-1001-WCG	Follett v. Astrue	Remanded	03/28/12	\$7,057.25/\$350.00
11/10/10	10-CV-1002-LA	Koepp v. Astrue	Reversed/Remanded	07/22/11	None
11/15/10	10-CV-1018-RTR	Stachura v. Astrue	Reversed/Remanded	06/09/11	IFP/Pro se
11/15/10	10-CV-1020-CNC	Nettesheim v. Astrue	Remanded on Parties' Joint Motion	08/14/12	\$8,918.50/IFP (Motion Pending)
11/16/10	10-CV-1021-WEC	Ford v. Astrue	Reversed/Remanded	07/05/12	\$4,100.00/IFP
11/17/10	10-CV-1027-LA	Cox v. Astrue	Reversed/Remanded	08/12/11	\$5,604.84/IFP
11/18/10	10-CV-1028-AEG	Staffaroni v. Astrue	Affirmed	07/28/11	N/A
11/23/10	10-CV-1050-AEG	Laabs v. Astrue	Reversed/Remanded	05/25/11	\$6,788.05/IFP
11/24/10	10-CV-1056-WCG	Reinke v. Astrue	Affirmed	01/20/12	N/A
11/24/10	10-CV-1059-LA	Minett v. Astrue	Dismissed on Parties' Joint Motion	04/06/11	None
11/27/10	10-CV-1067-WCG	Retlick v. Astrue	Reversed/Remanded	03/27/12	\$7,921.75/\$350.00
12/06/10	10-CV-1093-PJG	Parker v. Astrue	Remanded on Parties' Joint Motion	06/02/11	None
12/10/10	10-CV-1116-WEC	Stewart v. Astrue	Reversed/Remanded	01/30/12	\$7,631.94/IFP
12/10/10	10-CV-1119-WCG	Meiers-Petersen v. Astrue	Reversed/Remanded	03/30/12	\$8,400.00/\$350.00
12/13/10	10-CV-1122-WEC	Johnstone v. Astrue	Reversed/Remanded	01/23/12	\$5,634.00/IFP
12/17/10	10-CV-1138-WEC	Rodriguez v. Astrue	Affirmed	02/21/12	N/A
12/20/10	10-CV-1143-WEC	Tucker v. Astrue	Affirmed	08/06/12	N/A
12/20/10	10-CV-1145-LA	Pfund v. Astrue	Affirmed	08/26/11	N/A
12/22/10	10-CV-1152-LA	Hoffman v. Astrue	Reversed/Remanded	07/27/11	\$6,347.01/IFP
12/22/10	10-CV-1154-JPS	Harris v. Astrue	Affirmed	09/29/11	N/A
12/29/10	10-CV-1170-JPS	Willis v. Astrue	Vacated/Remanded	01/25/12	\$5,000.00/IFP
12/30/10	10-CV-1181-WCG	Versteegh v. Astrue	Remanded on Parties' Joint Motion	06/23/11	\$4,214.00/IFP

2011 Social Security Cases

Date Filed	Case No./Judge	Case Title	Disposition	Disp. Date	Attorneys' Fees/Costs
01/28/11	11-CV-0119-CNC	Smith v. Astrue	Voluntarily Dismissed	02/09/11	N/A
01/01/11	11-CV-0001-RTR	Petrillo v. Astrue	Remanded on Parties' Joint Motion	04/14/11	\$1,050.00/IFP
01/05/11	11-CV-0008-RTR	Modjewski v. Astrue	Reversed/Remanded	10/12/11	\$6,700.00/IFP
01/06/11 03/14/11	11-CV-0012-JPS	Johnson v. Astrue	Vacated/Remanded	11/08/11	\$5,612.74/IFP
01/11/11	11-CV-0026-JPS	Hartman v. Astrue	Vacated/Remanded	03/07/12	\$5,750.00/\$350.00
01/12/11	11-CV-0029-JPS	Rockwell v. Astrue	Vacated/Remanded	01/06/12	None
01/12/11	11-CV-0031-LA	Rogers v. Astrue	Remanded on Parties' Joint Motion	06/29/11	\$5,070.00/IFP
01/25/11	11-CV-0081-WEC	McAlister v. Astrue	Reversed/Remanded	08/27/12	\$2,400.00
02/03/11	11-CV-0128-RTR	Majerus v. Astrue	Reversed/Remanded	08/18/11	\$3,415.50/IFP
02/03/11	11-CV-0129-RTR	Conrardy v. Astrue	Affirmed	08/17/11	N/A
02/04/11	11-CV-0139-WCG	Aulik v. Astrue	Remanded on Parties' Joint Motion	09/01/11	\$4,616.62/\$350.00
02/07/11	11-CV-0149-LA	Berry v. Astrue	Remanded on Parties' Joint Motion	07/21/11	\$4,620.00/\$366.62
02/08/11	11-CV-0152-LA	Roth v. Astrue	Remanded	09/26/11	None
02/09/11	11-CV-0157-RTR	Allen v. Astrue	Reversed/Remanded	10/13/11	\$7,900.00/IFP
02/14/11	11-CV-0165-NJ	Martinez v. Astrue	Reversed/Remanded	02/03/12	\$1,500.00
02/14/11	11-CV-0168-WCG	Everard v. Astrue	Remanded on Parties' Joint Motion	08/01/11	\$3,552.50/\$366.62
02/17/11	11-CV-0180-WCG	Rodriguez v. Astrue	Remanded on Parties' Joint Motion	09/15/11	\$5,000.00/IFP
02/22/11	11-CV-0196-RTR	Schrank v. Astrue	Reversed/Remanded	08/29/11	None
02/25/11	11-CV-0212-LA	Hayes v. Astrue	Reversed/Remanded	09/14/11	\$7,450.00/IFP
03/01/11	11-CV-0224-WEC	Mrstik v. Astrue	Reversed/Remanded	03/26/12	\$7,700.00/\$350.00
03/03/11	11-CV-0231-LA	Hanke v. Astrue	Reversed/Remanded	10/24/11	\$6,200.00/\$533.54
03/02/11	11-CV-0235-JPS	Allen v. Astrue	Vacated/Remanded	02/23/12	\$6,683.38/IFP
03/04/11	11-CV-0243-PJG	Kiefer v. Astrue	Affirmed	03/27/12	N/A
03/09/11	11-CV-0248-CNC	Smith v. Astrue	Reversed/Remanded	08/07/12	\$4,900.00/\$27.27
03/10/11	11-CV-0253-RTR	Van Atta v. Astrue	Reversed/Remanded	11/16/11	\$5,400.00/\$350.00
03/15/11	11-CV-0263-WCG	Roberts v. Astrue	Remanded on Parties' Joint Motion	08/16/11	\$1,000.00/\$366.62
03/17/11	11-CV-0271-RTR	Fuentes v. Astrue	Reversed/Remanded	06/25/12	\$7,144.61/IFP
03/18/11	11-CV-0275-JPS	Westbrook v. Astrue	Vacated/Remanded	03/13/12	\$7,493.31/IFP
03/18/11	11-CV-0276-WCG	McCartney v. Astrue	Reversed/Remanded	05/29/12	\$8,528.75/IFP
03/21/11	11-CV-0282-NJ	Hefter v. Astrue	Affirmed	09/30/12	N/A
03/23/11	11-CV-0289-WEC	Houston v. Astrue	Remanded on Parties' Joint Motion	10/03/11	\$4,480.00/IFP
03/28/11	11-CV-0306-JPS	Rowe v. Astrue	Vacated/Remanded	02/10/12	\$4,300.00/IFP
03/29/11	11-CV-0307-JPS	Young v. Astrue	Vacated/Remanded	04/30/12	\$4,900.00/\$350.00
03/31/11	11-CV-0317-WCG	Lockwood v. Commissioner Social Security Administration	Remanded	08/01/12	\$7,500.00/IFP
04/05/11	11-CV-0327-WEC	Clayhiggs v. Astrue	Remanded on Parties' Joint Motion	11/08/11	\$4,771.25/IFP
04/05/11	11-CV-0328-NJ	Shavlik v. Astrue	Affirmed	01/20/12	N/A
04/09/11	11-CV-0338-JPS	Perez v. Astrue	Vacated/Remanded	04/25/12	\$6,714.80/IFP

04/18/11	11-CV-0368-CNC	Caraballo v. Astrue	Reversed/Remanded	08/21/12	\$3,776.12/IFP
04/26/11	11-CV-0399-WCG	Francart v. Astrue	Affirmed	07/25/12	N/A
04/27/11	11-CV-0403-RTR	Mata v. Astrue	Voluntarily Dismissed	08/17/11	N/A
04/27/11	11-CV-0404-NJ	Patterson v. Astrue	Affirmed	09/11/12	N/A
04/28/11	11-CV-0410-WEC	Goetsch v. Astrue	Reversed/Remanded	06/28/12	\$4,750.00/\$350.00
04/29/11	11-CV-0415-JPS	Woods v. Astrue	Affirmed	04/30/12	N/A
05/02/11	11-CV-0420-WEC	Thibaudeau v. Astrue	Reversed/Remanded	08/13/12	\$7,200.00/IFP
05/09/11	11-CV-0442-CNC	Lunsford v. Astrue	Reversed/Remanded	09/21/12	Motion Pending
05/12/11	11-CV-0452-CNC	Wieland v. Astrue	Reversed/Remanded	09/21/12	\$7,500.00/IFP
05/17/11	11-CV-0471-PJG	Towle v. Astrue	Affirmed	10/22/12	N/A
05/20/11	11-CV-0487-RTR	Bunting v. Astrue	Reversed/Remanded	02/08/12	\$10,740.13/IFP
05/20/11	11-CV-0488-LA	Smith v. Astrue	Remanded on Parties' Joint Motion	12/15/11	\$5,700.00/IFP
05/21/11	11-CV-0494-CNC	Beckard v. Astrue	Remanded on Government's Motion	09/16/11	None
05/24/11	11-CV-0495-CNC	Tennant v. Astrue	Reversed/Remanded	09/28/12	IFP/Pro se
05/24/11	11-CV-0498-WEC	Paavilainen v. Astrue	Remanded on Government's Motion	07/26/11	None
05/28/11	11-CV-0513-PJG	Kramer v. Astrue	Remanded	09/28/12	\$7,500.00/IFP
06/02/11	11-CV-0530-NJ	Valero v. Astrue	Affirmed	09/30/12	N/A
06/02/11	11-CV-0532-PJG	Kronberg v. Astrue	Remanded on Parties' Joint Motion	03/13/12	\$5,200.00/IFP
06/08/11	11-CV-0552-NJ	Anzalone v. Astrue	Remanded on Parties' Joint Motion	01/06/12	\$5,200.00/\$350.00
06/20/11	11-CV-0591-NJ	Felske v. Astrue	Reversed/Remanded	06/01/12	\$8,300.00/IFP
06/27/11	11-CV-0622-RTR	Crooms v. Astrue	Dismissed on Government's Motion	09/19/11	IFP/Pro se
06/28/11	11-CV-0627-PJG	Orozco v. Astrue	Remanded on Parties' Joint Motion	02/22/12	\$5,480.75/\$350.00
07/01/11	11-CV-0639-CNC	Wynn v. Astrue	Reversed/Remanded	09/28/12	\$6,300.00/\$350.00
07/01/11	11-CV-0640-NJ	Spears v. Astrue	Remanded on Government's Motion	02/28/12	\$4,000.00/IFP
07/06/11	11-CV-0649-WCG	McAuley v. Astrue	Remanded	09/25/12	\$7,500.00/IFP
07/08/11	11-CV-0656-PJG	Diaz v. Astrue	Remanded	10/16/12	\$4,900.00/IFP
07/11/11	11-CV-0659-CNC	Ivy v. Astrue	Remanded on Parties' Joint Motion	05/31/12	\$5,850.00/IFP
07/18/11	11-CV-0687-WEC	Lehman v. Astrue	Reversed/Remanded	08/30/12	\$6,411.81/IFP
07/20/11	11-CV-0692-JPS	Nolan v. Astrue	Vacated/Remanded	04/23/12	\$5,500.00/\$350.00
08/01/11	11-CV-0729-WEC	Khur v. Astrue	Reversed/Remanded	09/27/12	\$8,331.22/\$362.60
08/04/11	11-CV-0739-LA	Hildebrandt v. Astrue	Reversed/Remanded	05/03/12	\$5,300.00/IFP
08/05/11	11-CV-0741-WCG	Farr v. Astrue	Remanded	09/25/12	None
08/08/11	11-CV-0745-CNC	Branch v. Astrue	Reversed/Remanded	09/27/12	\$6,700.00/IFP
08/08/11	11-CV-0746-NJ	Manske v. Astrue	Remanded on Government's Motion	09/19/11	None
08/09/11	11-CV-0749-LA	Lindsley v. Astrue	Remanded on Parties' Joint Motion	05/03/12	None
08/10/11	11-CV-0756-LA	Witek v. Astrue	Remanded on Parties' Joint Motion	01/16/12	\$5,609.00/IFP
08/14/11	11-CV-0767-RTR	Van Dyke v. Astrue	Remanded on Parties' Joint Motion	04/18/12	\$5,740.00/IFP
08/16/11	11-CV-0771-WEC	Minske v. Astrue	Remanded on Government's Motion	12/07/11	IFP/Pro se
08/16/11	11-CV-0773-JPS	Roso v. Astrue	Vacated/Remanded	04/11/12	\$9,500.00/IFP
08/18/11	11-CV-0783-JPS	Henderson v. Astrue	Remanded on Parties' Joint Motion	02/27/12	\$5,500.00/IFP

08/30/11	11-CV-0820-PJG	Miller v. Astrue	Remanded	08/22/12	\$7,035.75/IFP
08/31/11	11-CV-0832-WCG	DeGoey v. Astrue	Reversed/Remanded	06/13/12	\$4,500.00/\$350.00
09/01/11	11-CV-0833-RTR	Williams v. Astrue	Reversed/Remanded	06/27/12	\$6,358.08/IFP
09/02/11	11-CV-0841-NJ	Bruce v. Astrue	Remanded on Parties' Joint Motion	04/13/12	\$4,500.00/IFP
09/06/11	11-CV-0843-LA	Nealy v. Social Security Administration	Voluntarily Dismissed	01/24/12	N/A
09/09/11	11-CV-0854-CNC	McDowell v. Astrue	Remanded on Parties' Joint Motion	03/19/12	\$5,400.00/IFP
09/09/11	11-CV-0856-PJG	Fermaint v. Astrue	Remanded on Parties' Joint Motion	03/15/12	\$6,314.38/IFP
09/16/11	11-CV-0876-PJG	Stapleton v. Astrue	Reversed/Remanded	09/11/12	None
09/19/11	11-CV-0877-LA	Schomer v. Astrue, et. al.	Remanded on Parties' Joint Motion	04/10/12	\$3,100.00/IFP
09/21/11	11-CV-0887-LA	Washington v. Astrue	Remanded on Parties' Joint Motion	03/08/12	\$5,513.41/IFP
09/23/11	11-CV-0896-LA	Ramsey v. Astrue	Dismissed	06/07/12	IFP/Pro se
09/26/11	11-CV-0900-RTR	Ash v. Astrue	Reversed/Remanded	12/10/12	None
10/04/11	11-CV-0927-JPS	Kazee v. Astrue	Vacated/Remanded	05/10/12	\$7,034.00/IFP
10/11/11	11-CV-0946-CNC	Neuman v. Astrue	Remanded on Parties' Stipulation	07/12/12	\$5,824.31/IFP
10/11/11	11-CV-0951-RTR	Devera v. Astrue	Reversed/Remanded	06/29/12	\$4,565.48/\$350.00
10/12/11	11-CV-0955-LA	Phippen v. Astrue	Affirmed	05/11/12	N/A
10/17/11	11-CV-0966-LA	Rivera v. Astrue	Reversed/Remanded	08/01/12	\$7,500.00/IFP
10/17/11	11-CV-0970-WCG	Tapia v. Astrue	Remanded	07/31/12	\$5,000.00/IFP
10/18/11	11-CV-0971-WEC	Roberts v. Social Security Administration	Reversed/Remanded	12/17/12	Pro se
10/24/11	11-CV-0992-RTR	Harvester v. Astrue	Reversed/Remanded	07/05/12	\$7,740.00/IFP
10/24/11	11-CV-0994-PJG	Faul v. Astrue	Pending		
10/25/11	11-CV-1001-PJG	Pfennig v. Astrue	Pending		
10/31/11	11-CV-1012-WCG	Martin v. Astrue	Remanded on Parties' Joint Motion	05/22/12	\$4,000.00/IFP
10/31/11	11-CV-1015-LA	Mason v. Astrue	Reversed/Remanded	05/25/12	\$6,300.00/\$350.00
11/10/11	11-CV-1035-JPS	Andujal v. Astrue	Remanded on Parties' Joint Motion	06/28/12	\$5,918.13/\$350.00
11/10/11	11-CV-1037-NJ	Sutter v. Astrue	Reversed/Remanded	09/10/12	\$5,800.00
11/15/11	11-CV-1048-WEC	Cadogan v. Astrue	Reversed/Remanded	10/12/12	\$4,000.00/\$350.00
11/17/11	11-CV-1063-LA	Cain-Wesa v. Astrue	Affirmed	06/13/12	N/A
11/25/11	11-CV-1083-WCG	Warner v. Astrue	Remanded	01/18/13	None
11/28/11	11-CV-1087-RTR	Cerpa v. Astrue	Reversed/Remanded	07/05/12	\$9,743.75/IFP
12/05/11	11-CV-1104-NJ	Mydlowski v. Astrue	Remanded on Parties' Joint Motion	05/10/12	\$2,926.50/IFP
12/07/11	11-CV-1110-PJG	Jubelirer v. Astrue	Remanded on Parties' Joint Motion	06/04/12	\$3,467.50
12/12/11	11-CV-1125-CNC	Pickett v. Social Security Office	Dismissed on Government's Motion	04/25/12	IFP/Pro se
12/16/11	11-CV-1141-RTR	Zainer v. Astrue	Remanded	01/23/13	None
12/19/11	11-CV-1143-NJ	Alfano v. Astrue	Voluntarily Dismissed	04/06/12	N/A
12/20/11	11-CV-1147-PJG	Klasen v. Astrue	Pending		
12/20/11	11-CV-1151-RTR	Mcintire v. Astrue	Reversed/Remanded	07/10/12	\$6,775.00/\$350.00
12/23/11	11-CV-1162-JPS	Van Epps v. Astrue	Vacated/Remanded	01/14/13	None
12/23/11	11-CV-1165-NJ	Rodriguez v. Social Security Administration	Pending		
12/27/11	11-CV-1169-LA	Rhodes v. Astrue	Remanded on Parties' Joint Motion	06/08/12	\$4,398.25/IFP

12/29/11	11-CV-1176-RTR	Koch v. Astrue	Reversed/Remanded	07/12/12	\$7,444.75/IFP
12/29/11	11-CV-1177-CNC	Johnson v. Astrue	Pending		
12/30/11	11-CV-1179-WCG	Menge v. Astrue	Remanded on Parties' Joint Motion	07/12/12	\$4,500.00/IFP
12/30/11	11-CV-1181-NJ	Long v. Commissioner of Social Security	Pending		

2012 Social Security Cases

Date Filed	Case No./Judge	Case Title	Disposition	Disp. Date	Attorneys' Fees/Costs
11/15/07 05/18/12	07-CV-1016-JPS	McCollum v. Astrue	Vacated/Remanded	10/05/12	\$11,000.00/IFP
05/05/08 03/23/12	08-CV-0386-CNC	Chase v. Astrue	Remanded by the Seventh Circuit	03/31/12	Motion Pending
01/13/12	12-CV-0046-LA	Hunt v. Astrue	Reversed/Remanded	08/31/12	\$4,514.25/\$350.00
01/20/12	12-CV-0055-JPS	Hilkert v. Astrue	Affirmed	01/14/13	N/A
01/20/12	12-CV-0056-RTR	Mareno v. Astrue	Remanded on Government's Motion	10/04/12	\$3,564.28/\$350.00
01/20/12	12-CV-0057-WCG	Jorgensen v. Astrue	Remanded on Parties' Joint Motion	04/04/12	None
01/26/12	12-CV-0080-WCG	Gerow v. Astrue	Affirmed	01/17/13	N/A
01/27/12	12-CV-0087-NJ	York v. Astrue	Remanded on Government's Motion	05/09/12	None
01/27/12	12-CV-0089-PJG	Parker v. Astrue	Pending		
02/01/12	12-CV-0108-WCG	Pelmar v. Astrue	Remanded on Parties' Joint Motion	07/12/12	\$3,609.16/IFP
02/02/12	12-CV-0113-LA	Christiansen v. Astrue	Remanded on Parties' Joint Motion	07/02/12	\$5,415.00/IFP
02/03/12	12-CV-0114-JPS	Freismuth v. Astrue	Remanded	01/31/13	
02/06/12	12-CV-0124-RTR	Gaber v. Astrue	Reversed/Remanded	12/04/12	None
02/07/12	12-CV-0132-WEC	Lauer v. Astrue	Affirmed	01/11/13	N/A
02/09/12	12-CV-0139-RTR	Crittenden v. Astrue	Remanded on Parties' Joint Motion	07/30/12	\$6,053.75/IFP
02/14/12	12-CV-0155-CNC	Bufford v. Astrue	Remanded on Parties' Joint Motion	11/30/12	\$7,500.00/IFP
02/15/12	12-CV-0157-WCG	Niemi v. Astrue	Pending		
02/16/12	12-CV-0163-LA	Kidder v. Astrue	Remanded on Parties' Joint Motion	08/13/12	\$7,500.00/\$377.00
02/16/12	12-CV-0166-WCG	Jorgenson v. Astrue	Remanded	01/23/13	None
02/27/12	12-CV-0201-WEC	Black v. Astrue	Affirmed	01/30/13	N/A
03/16/12	12-CV-0256-PJG	Ross v. Astrue	Pending		
03/27/12	12-CV-0301-WCG	Saunders v. Astrue	Remanded on Parties' Joint Motion	08/30/12	\$4,200.00/IFP
03/29/12	12-CV-0312-RTR	Lindsey v. Astrue	Reversed/Remanded	12/04/12	None
03/29/12	12-CV-0313-JPS	Wudtke v. Astrue	Remanded on Parties' Joint Motion	11/09/12	\$5,566.25/IFP
04/04/12	12-CV-0326-WCG	Senn v. Astrue	Pending		
04/09/12	12-CV-0340-WEC	Schiller v. Astrue	Pending		
04/13/12	12-CV-0353-PJG	Troop v. Astrue	Pending		
04/18/12	12-CV-0367-WCG	Ford v. Astrue	Pending		
04/23/12	12-CV-0374-WCG	Freeland v. Astrue	Remanded on Parties' Joint Motion	12/06/12	\$6,650.00/\$350.00
04/24/12	12-CV-0375-JPS	Gayfield v. Astrue	Vacated/Remanded	11/09/12	None
04/25/12	12-CV-0382-LA	McGee v. Astrue	Remanded on Parties' Joint Motion	09/28/12	\$5,274.25/IFP
04/30/12	12-CV-0391-JPS	Peterson v. Astrue	Remanded on Parties' Joint Motion	11/27/12	\$350.00 (Costs Only)
04/30/12	12-CV-0395-CNC	Pinson v. Astrue	Pending		
05/01/12	12-CV-0400-JPS	Scott v. Astrue	Pending		
05/01/12	12-CV-0406-WEC	Laux v. Astrue	Pending		
05/07/12	12-CV-0451-WCG	Barbeau v. Astrue	Pending		
05/09/12	12-CV-0464-JPS	Fulfer v. Astrue	Vacated/Remanded	11/09/12	Motion Pending

05/14/12	12-CV-0478-RTR	Morrison v. Astrue	Remanded on Parties' Joint Motion	12/20/12	Motion Pending
05/17/12	12-CV-0492-JPS	Sherod v. Astrue	Pending		
05/17/12	12-CV-0493-RTR	Weston v. Astrue	Remanded on Parties' Joint Motion	10/04/12	\$5,200.00/IFP
05/17/12	12-CV-0498-PJG	Burdick v. Astrue	Remanded on Parties' Joint Motion	12/18/12	Motion Pending
05/18/12	12-CV-0502-CNC	Seilheimer v. Astrue	Pending		
05/21/12	12-CV-0503-RTR	Frater v. Astrue	Remanded on Parties' Joint Motion	01/02/13	Motion Pending
05/23/12	12-CV-0514-WEC	Van Handel v. Astrue	Pending		
05/24/12	12-CV-0527-WEC	Diggs v. Astrue	Pending		
05/25/12	12-CV-0535-CNC	Thompson v. Astrue	Pending		
05/25/12	12-CV-0538-CNC	Eason v. Astrue	Remanded on Parties' Joint Motion	01/24/13	None
06/01/12	12-CV-0548-RTR	Clark v. Astrue	Remanded on Parties' Joint Motion	01/29/13	None
06/03/12	12-CV-0551-JPS	Allen v. Astrue	Pending		
06/05/12	12-CV-0566-JPS	Pendzik v. Astrue	Pending		
06/05/12	12-CV-0568-JPS	Brown v. Astrue	Vacated/Remanded	12/11/12	None
06/06/12	12-CV-0572-WEC	Ludwig v. Astrue	Pending		
06/08/12	12-CV-0581-WCG	Bernier v. Astrue	Remanded on Parties' Joint Motion	09/18/12	\$3,181.14/IFP
06/15/12	12-CV-0615-NJ	Buhk v. Astrue	Pending		
06/19/12	12-CV-0627-LA	Tenhove v. Astrue	Pending		
06/19/12	12-CV-0632-LA	Wolfgram v. Astrue	Affirmed	01/18/13	N/A
06/20/12	12-CV-0639-JPS	Behrens v. Astrue	Pending		
06/22/12	12-CV-0646-RTR	Garin v. Commissioner Social Security Administration	Pending		
06/22/12	12-CV-0649-RTR	L v. Astrue	Pending		
06/25/12	12-CV-0653-RTR	Dunbar v. Astrue	Pending		
06/28/12	12-CV-0663-RTR	Payment v. Astrue	Pending		
06/29/12	12-CV-0671-NJ	Jezewski v. Astrue	Pending		
07/03/12	12-CV-0681-JPS	Broughton v. Astrue	Pending		
07/05/12	12-CV-0682-JPS	Cintron v. Social Security Administration, et. al.	Dismissed on Government's Motion	12/11/12	IFP/Pro se
07/05/12	12-CV-0685-LA	Dotson v. Commissioner of Social Security	Pending		
07/06/12	12-CV-0692-CNC	Beamon v. Social Security Administration	Dismissed on Government's Motion	01/25/13	IFP/Pro se
07/10/12	12-CV-0701-NJ	Moss v. Astrue	Pending		
07/14/12	12-CV-0722-LA	Mott v. Astrue	Remanded on Parties' Joint Motion	01/30/13	None
07/16/12	12-CV-0726-LA	Zoepfel v. Astrue	Pending		
07/17/12	12-CV-0733-JPS	Arnold Simpson v. Astrue	Vacated/Remanded	01/25/13	None
07/22/12	12-CV-0750-RTR	Klingbeil v. Astrue	Pending		
07/24/12	12-CV-0761-PJG	Lahmsen v. Astrue	Pending		
07/27/12	12-CV-0771-RTR	Dufresne v. Astrue	Pending		
08/02/12	12-CV-0790-JPS	Woods v. Office of Disability Adjudication and Review	Pending		
08/03/12	12-CV-0795-WEC	Herrera v. Astrue	Pending		
08/06/12	12-CV-0799-JPS	Wahls v. Astrue	Pending		
08/06/12	12-CV-0800-WEC	Dill v. Astrue	Pending		

08/13/12	12-CV-0821-LA	Brown v. Astrue	Remanded on Parties' Joint Motion	10/29/12	\$949.00/IFP
08/13/12	12-CV-0822-CNC	Hanson v. Astrue	Pending		
08/16/12	12-CV-0834-WEC	Resendez v. Astrue	Pending		
08/16/12	12-CV-0836-WCG	Delaney v. Astrue	Pending		
08/18/12	12-CV-0842-RTR	Kolp v. Astrue	Pending		
08/22/12	12-CV-0850-RTR	Fenner v. Astrue	Pending		
08/29/12	12-CV-0872-NJ	Hale v. Astrue	Pending		
09/07/12	12-CV-0917-JPS	Grant v. Social Security Administration	Pending		
09/11/12	12-CV-0926-RTR	Schmidt v. Astrue	Pending		
09/18/12	12-CV-0956-RTR	Webster v. Astrue	Pending		
09/18/12	12-CV-0957-RTR	Smith v. Astrue	Pending		
09/19/12	12-CV-0958-LA	Daniels v. Astrue	Pending		
09/20/12	12-CV-0967-RTR	Savignac v. Astrue	Pending		
09/21/12	12-CV-0969-LA	Schurr v. Astrue	Pending		
09/25/12	12-CV-0976-NJ	Swinney v. Astrue	Pending		
09/25/12	12-CV-0981-NJ	Weckwerth v. Astrue	Pending		
10/04/12	12-CV-1008-NJ	Jemison v. Astrue	Pending		
10/11/12	12-CV-1044-JPS	Warr v. Astrue	Pending		
10/16/12	12-CV-1055-PJG	Sterken v. Astrue	Pending		
10/22/12	12-CV-1072-WCG	Parini v. Astrue	Pending		
10/23/12	12-CV-1079-AEG	Watts v. Astrue	Pending		
10/24/12	12-CV-1080-CNC	Turner v. Astrue	Pending		
10/28/12	12-CV-1090-NJ	Berry v. Astrue	Pending		
10/29/12	12-CV-1092-AEG	Farrell v. Astrue	Pending		
10/31/12	12-CV-1102-WCG	Varga v. Astrue	Pending		
10/31/12	12-CV-1104-JPS	Repinski-Engle v. Astrue	Pending		
10/31/12	12-CV-1106-PJG	Rosenberg v. Astrue	Pending		
11/01/12	12-CV-1114-AEG	Heichler v. Astrue	Pending		
11/02/12	12-CV-1118-WCG	Gancarcik v. Astrue	Pending		
11/04/12	12-CV-1121-RTR	Paulsen v. Astrue	Pending		
11/06/12	12-CV-1130-WCG	Thompson v. Astrue	Pending		
11/06/12	12-CV-1131-LA	Stenger v. Astrue	Pending		
11/13/12	12-CV-1153-PJG	Piggy v. Astrue	Pending		
11/14/12	12-CV-1159-RTR	Rudolph v. Commissioner of Social Security	Pending		
11/14/12	12-CV-1163-AEG	Rutledge v. Commissioner Social Security Administration	Pending		
11/16/12	12-CV-1169-WEC	Clayton v. Commissioner of Social Security	Pending		
11/21/12	12-CV-1185-JPS	Crowell v. Astrue	Pending		
11/26/12	12-CV-1192-WEC	Schuessler v. Astrue	Pending		
11/27/12	12-CV-1196-JPS	Salazar v. Astrue	Pending		
11/27/12	12-CV-1199-RTR	Whitt v. Astrue	Pending		

11/28/12	12-CV-1203-AEG	Brandt v. Commissioner of Social Security	Pending		
11/29/12	12-CV-1206-WCG	Cantu v. Astrue	Pending		
11/29/12	12-CV-1209-RTR	Goodwin v. Astrue	Pending		
11/30/12	12-CV-1216-PJG	Vich v. Astrue	Pending		
12/01/12	12-CV-1219-LA	Cirino v. Astrue	Pending		
12/03/12	12-CV-1221-AEG	Shoffner v. Astrue	Pending		
12/03/12	12-CV-1225-AEG	Evans v. Astrue	Pending		
12/05/12	12-CV-1238-PJG	Reichardt v. Astrue	Pending		
12/05/12	12-CV-1239-LA	Stockton v. Astrue	Pending		
12/07/12	12-CV-1252-WCG	McDaniel v. Astrue	Pending		
12/12/12	12-CV-1269-AEG	Hart v. Astrue	Pending		
12/12/12	12-CV-1271-AEG	Schrage v. Astrue	Pending		
12/14/12	12-CV-1275-WCG	Van Den Bloomer v. Astrue	Pending		
12/14/12	12-CV-1276-LA	Johnson v. Astrue	Pending		
12/18/12	12-CV-1285-RTR	McKinney v. Astrue	Pending		
12/20/12	12-CV-1299-WCG	Suchocki v. Astrue, et. al.	Pending		
12/21/12	12-CV-1302-NJ	Filczer v. Astrue	Pending		
12/27/12	12-CV-1311-AEG	Loomis v. Astrue	Pending		

2013 Social Security Cases

Date Filed	Case No./Judge	Case Title	Disposition	Disp. Date	Attorneys' Fees/Costs
01/02/13	13-CV-0002-JPS	Gomez v. Social Security Office of Disability Adjudication and Review	Pending		
01/04/13	13-CV-0014-AEG	Jones v. Social Security Administration	Pending		
01/07/13	13-CV-0015-LA	Olson v. Astrue	Pending		
01/08/13	13-CV-0024-AEG	Neuberger v. Astrue	Pending		
01/09/13	13-CV-0029-JPS	Williams v. Astrue	Pending		
01/09/13	13-CV-0030-JPS	Triggs v. Astrue	Pending		
01/10/13	13-CV-0033-WCG	Stamper v. Astrue	Pending		
01/15/13	13-CV-0056-JPS	Serbian v. Astrue	Pending		
01/17/13	13-CV-0064-JPS	Nash v. Astrue	Pending		
01/22/13	13-CV-0075-JPS	Kujac v. Astrue	Pending		
01/22/13	13-CV-0076-JPS	Thompson v. Astrue	Pending		
01/25/13	13-CV-0096-RTR	Crammers v. Astrue	Pending		
01/25/13	13-CV-0101-JPS	Evans v. Astrue	Pending		
01/28/13	13-CV-0104-AEG	Carr v. Astrue	Pending		
01/29/13	13-CV-0107-WCG	Kaczowski v. Astrue	Pending		
01/30/13	13-CV-0110-LA	Andino Ruiz v. Astrue	Pending		
01/31/13	13-CV-0112-LA	Grasso v. Astrue	Pending		